

UNIVERSITY OF WASHINGTON

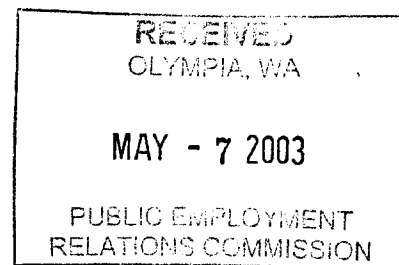
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May 7, 2003

Mr. Marvin L. Schurke, Executive Director
Public Employment Relations Commission
711 Capitol Way South, Suite 603
P.O. Box 40919
Olympia, WA 98504-0919



Dear Director Schurke:

This letter is to transmit the University of Washington's position regarding the proposed new rule – WAC 391-25-426 – regarding the merging of units of state civil service employees.

The University's concern stems primarily from the impact such mergers would have on the bargaining relationship when the units considered for merger are covered by collective bargaining agreements containing different terms and conditions.

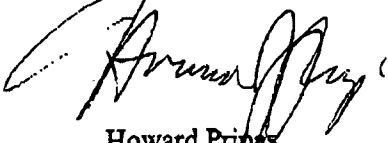
The system established under RCW 41.06 and accompanying WAC Rules, especially those applying to institutions of higher education, allowed for a relatively simple process of accreting newly organized staff to existing bargaining units. Therefore, it must be assumed that individually certified units represented by the same union at the same employer were established either because the units did not share a community of interest or the petitioner and/or the employer was not interested in creating one large unit.

Though circumstances and the desires of parties may change, the University advocates that there should be a presumption that historically separate units petitioned for merger are not appropriate unless there is no objection by any party. This should particularly be so when there has been a bargaining history of negotiating separate agreements with different terms and conditions of employment. That history should be given significant weight when determining the appropriateness of proposed merged units. An alternative would be for the proposed rule to state that existing units under contracts with different terms would normally not be merged. Not addressing this issue may lead to unnecessary litigation and, in some instances, litigating issues which were raised and ruled upon when the units were first established.

The University apologizes for submitting this letter after the May 6 deadline. The concerns expressed are meant to clarify and follow those expressed in the University's e-mail of May 5. Danny Kraus had also discussed these concerns with Mark Downing on May 5 and May 7. The University appreciates PERC's

responsiveness and the consideration of the position set forth in this letter. I want to thank Mark Downing for spending time discussing this issue with Danny Kraus of my staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard Pripas", written in a cursive style.

Howard Pripas
Director - Labor Relations

Cc: Mark Downing